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Attorneys for Defendant and Counterclaim Plaintiff AMERICAN
HOME BANK (formerly known as FLOWER BANK, FSB
and UMBRELLA BANK, FSB)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DRAHA HERMAN,

Plaintiff,

v.

UMBRELLA BANK, FSB, a Federal
Savings Bank; FLOWER BANK, FSB, a
Federal Savings Bank; AMERICAN
HOME MORTGAGE INVESTMENT
CORPORATION, Maryland Corporation,
dba AMERICAN HOME MORTGAGE
ACCEPTANCE, INC. and DOES 1-50,
inclusive,

Defendants.

FLOWER BANK, FSB, a Federal Savings
Bank,

Counterclaim Plaintiff,

v.

DRAHA HERMAN,

Counterclaim Defendant.

Case No. C 06-7708 MJJ

**STIPULATED MOTION TO EXTEND
DATE FOR CONDUCTING MEDIATION
AND [PROPOSED] ORDER**

Judge: Honorable Martin J. Jenkins

Pursuant to Civil Local Rules 7-1 and 7-12 and ADR Local Rule 6-5, Defendant and Counterclaim Plaintiff American Home Bank (formerly known as Flower Bank, FSB and Umbrella Bank, FSB) ("Defendant") and Plaintiff and Counterclaim Defendant Draha Herman ("Plaintiff"), by and through their attorneys of record, hereby stipulate as follows:

WHEREAS this Court's Order Selecting ADR Process, dated February 28, 2007, stated that the deadline for conducting a mediation is "90 days following court ruling on Defendants' motion to transfer venue";

WHEREAS this Court ruled on Defendant's Motion to Transfer Venue in an Order dated April 1, 2007 and filed on April 3, 2007;

WHEREAS the deadline for conducting a mediation therefore is July 2, 2007;

WHEREAS both Plaintiff and Defendant intend to serve discovery on the other party prior to the mediation;

WHEREAS both Plaintiff and Defendant believe that the mediation would be more fruitful if they review information obtained through discovery prior to the mediation;

WHEREAS both Plaintiff and Defendant believe that extending the deadline for conducting a mediation until August 31, 2007 would give them sufficient time to review information obtained through discovery prior to the mediation;

WHEREAS neither Plaintiff nor Defendant have previously sought an order extending the deadline to conduct a mediation in this case;

WHEREAS counsel for Plaintiff and counsel for Defendant had a Pre-Mediation Telephone Conference with the mediator, Ms. Gilda R. Turitz, on May 9, 2007;

WHEREAS counsel for Plaintiff and counsel for Defendant discussed with Ms. Turitz their view that the mediation would be more fruitful if the deadline for conducting a mediation were extended;

WHEREAS Ms. Turitz agreed with counsel for Plaintiff and counsel for Defendant that the deadline for mediation should be extended to enable Plaintiff and Defendant to have sufficient time to review information obtained through discovery prior to the mediation.

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1 THEREFORE, IT IS STIPULATED as follows:

2 To petition the Court to for an Order extending the deadline for conducting a mediation
3 until August 31, 2007.

4 Dated: May 17, 2007

FOLGER LEVIN & KAHN LLP

5
6 /s/

Eric M. Lode

7 Attorneys for Defendant and Counterclaim Plaintiff
8 AMERICAN HOME BANK

9 Dated: May 17, 2007

SCHEER & IMFELD, LLP

10 /s/

11 Austin D. Garner

12 Attorneys for Plaintiff and Counterclaim Defendant
13 DRAHA HERMAN

14 Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest
15 under penalty of perjury that concurrence in the filing of this document has been obtained from
16 Austin D. Garner.

17 Dated: May 17, 2007

18 By: /s/

Eric M. Lode

19 Attorneys for Defendant and Counterclaim Plaintiff
20 AMERICAN HOME BANK

21 PURSUANT TO STIPULATION, IT IS ORDERED that the deadline for conducting a mediation
22 is extended until August 31, 2007.

23
24 Dated: May 23, 2007

25
26 
27 The Honorable Martin J. Jenkins
28 United States District Court Judge

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